

RECEIVED  
CENTRAL FAX CENTER

SEP 25 2006

LAW OFFICES  
GIFFORD, KRASS, GROH, SPRINKLE, ANDERSON & CITKOWSKI, P.C.  
PATENT, TRADEMARK AND COPYRIGHT PRACTICE  
303 DETROIT STREET  
SUITE 300  
ANN ARBOR, MICHIGAN 48104-1144

(734) 913-9300  
FACSIMILE (734) 913-6007  
jposa@patlaw.com  
dwathen@patlaw.com  
mbancroft@patlaw.com  
jsupic@patlaw.com

## FACSIMILE TRANSMISSION

DATE: September 25, 2006

TO: EXAMINER A. Ramana

FACSIMILE NO.: 571-273-8300

FROM: John G. Posa

PAGES TRANSMITTED (INCLUDING COVER SHEET): 3ORIGINAL DOCUMENTS WILL \_\_\_\_ / WILL NOT XX FOLLOW BY MAIL

RE: SN 10/690,889

MESSAGE:

Information contained in this facsimile may be PRIVILEGED and CONFIDENTIAL. It is intended only for the use of the person or entity named above. If you are not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is neither intended nor permissible. If this facsimile has been received in error, please notify us immediately (call collect) and return the facsimile to us.

PTO/SB/07 (00-04)

Approved for use through 07/31/2006. OMB 0851-0031

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Application No. (If known): 10/690,889

Attorney Docket No.: BAF-15902/29

**Certificate of Transmission under 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on September 25, 2006  
Date



Signature

Ann Andrusiak

Typed or printed name of person signing Certificate

Registration Number, if applicable

(734) 913-9300

Telephone Number

**Note:** Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Response to Restriction Requirement (with Traverse) (2 pages)

RECEIVED  
CENTRAL FAX CENTER

SEP 25 2006

Docket No.: BAF-15902/29  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

---

In re Patent Application of:  
Bret A. Ferree

Application No.: 10/690,889

Confirmation No.: 6821

Filed: October 22, 2003

Art Unit: 3733

For: BIAxIAL ARTIFICIAL DISC REPLACEMENT

Examiner: A. Ramana

RESPONSE TO RESTRICTION REQUIREMENTMS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction Requirement mailed August 23, 2006, Applicant elects "Species I" (Fig. 1), with traverse, on the grounds that some of the "species" identified by the Examiner simply represent different views of the same embodiment. Note, for example, Species V and VI, which are just different views of the same device. Applicant believes all of the pending claims read on the present election.

Dated: September 25, 2006

Respectfully submitted,

By 

John G. Posa

Registration No.: 37,424

GIFFORD, KRASS, GROH, SPRINKLE,  
ANDERSON & CITKOWSKI, P.C.

2701 Troy Center Drive, Suite 330

Post Office Box 7021

Troy, Michigan 48007-7021

(734) 913-9300/(734)913-6007 (Fax)

Attorney for Applicant